



PIPER RUDNICK ^{LLP}
1200 NINETEENTH STREET, NW
WASHINGTON, DC 20036-2412
TELEPHONE: 202-861-3900
FACSIMILE: 202-223-2085

DOCKET NO.: 9528-005-27

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

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OCT 22 2002

TECHNOLOGY CENTER R3700

Re: Serial No.: 09/881,045
Applicant(s): Stephen W. DOWNING
Filing Date: June 15, 2001
For: APPARATUSES AND METHODS FOR PERFORMING MINIMALLY
INVASIVE DIAGNOSTIC AND SURGICAL PROCEDURES INSIDE OF A
BEATING HEART
Group Art Unit: 3763
Examiner:

SIR:


Attached hereto for filing are the following papers:

INFORMATION DISCLOSURE STATEMENT
FORM PTO 1449
CITED DOCUMENTS (31)

Our check in the amount of \$ 0 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary extension of time to make the filing of the attached documents timely, please charge or credit the difference to Deposit Account No. 50-1442. Further, if these papers are not considered timely filed, then a request is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

PIPER RUDNICK LLP



Steven B. Kelber
Attorney of Record
Registration No.: 30,073

Perry E. Van Over
Registration No.: 42,197

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION: Stephen W. DOWNING

GROUP ART UNIT: 3763

SERIAL NUMBER: 09/881,045

EXAMINER:

FILED: June 15, 2001

FOR: APPARATUSES AND METHODS FOR PERFORMING MINIMALLY INVASIVE DIAGNOSTIC AND SURGICAL PROCEDURES INSIDE OF A BEATING HEART



INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. 1.97

Assistant Commissioner for Patents
Washington, D.C. 20231

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Sir:

Applicant(s) wish(es) to disclose the following information.

TECHNOLOGY CENTER R3700

REFERENCES

- Applicant(s) wish(es) to make of record the documents listed on the attached Form PTO-1449. Copies of the listed documents are attached, where required, as are either statements of relevancy or any readily available full or partial English translations of any non-English-language documents.

RELATED CASES

- Attached is a list of Applicant's(s') pending applications and issued patents which may be related to the present application. Copies of the documents, where required, are attached along with Form PTO-1449.

CERTIFICATION

The undersigned certifies that

- each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign or international patent office in a counterpart foreign or international application for the first time (to the knowledge of the undersigned, having made reasonable inquiry) not more than three months prior to the filing of this statement.
- no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign or international patent office in a counterpart foreign or international application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement.

BASIS FOR CONSIDERATION

This Information Disclosure Statement is filed:

- without fee and within three months of the filing date of the application.
- without fee and within three months of the date of entry of the U.S. national stage.
- without fee and before the mailing date of a first Office Action on the merits (to the knowledge of the undersigned).
- without fee and with the appropriate certification above.
- without fee and with a new CPA application.
- without fee and with a Request for Continued Examination.
- with fee and before the mailing date of any of a Final Office Action, Notice of Allowance or an action that otherwise closes prosecution (to the knowledge of the undersigned).
- with fee, appropriate certification above, and before payment of the Issue Fee.

DEPOSIT ACCOUNT

- Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to Deposit Account No. 50-1442.

Respectfully submitted,

PIPER RUENICK LLP

Steven B. Kelber
Attorney of Record
Registration No. 30,073
Perry E. Van Over
Registration No. 42,197

1200 Nineteenth Street, N.W.
Washington, DC 20036-2412
Telephone No. (202) 861-3900
Facsimile No. (202) 223-2085